

AMENDED IN SENATE MAY 25, 2011
AMENDED IN SENATE APRIL 12, 2011
AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 337

Introduced by Senator Kehoe

February 15, 2011

An act to add Section 1940.4 to the Civil Code, relating to tenancy.

LEGISLATIVE COUNSEL'S DIGEST

SB 337, as amended, Kehoe. Tenancy: noncommercial signs.

Existing law regulates the terms and conditions of residential tenancies. Existing law prohibits the governing documents of a common interest development from prohibiting the posting or displaying of noncommercial signs, posters, flags, or banners on or in an owner's separate interest, except as specified.

This bill would prohibit a landlord from prohibiting a tenant from posting or displaying ~~noncommercial signs, posters, flags, or banners on or within any portion of the tenant's dwelling unit~~ *political signs*, except under certain circumstances.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1940.4 is added to the Civil Code, to
2 read:
3 1940.4. ~~A~~(a) *Except as provided in subdivision (b), a landlord*
4 shall not prohibit a tenant from posting ~~or displaying~~

1 ~~noncommercial signs, posters, flags, or banners on or displaying~~
2 ~~political signs on or within any portion of the tenant's dwelling~~
3 ~~unit, unless any of the following apply: unit.~~

4 (b) A landlord may prohibit a tenant from posting or displaying
5 political signs in any the following circumstances:

6 (a)

7 (1) The posting or display would violate a local, state, or federal
8 law.

9 (b)

10 (2) The posting or display would violate a provision in the
11 governing document of a common interest development that
12 satisfies the requirements in Section 1353.6.

13 (c)

14 (3) The posting or display would violate a provision in the
15 covenants, conditions, and restrictions recorded against the
16 property.

17 (4) The sign is more than nine square feet in size.

18 (c) For purposes of this section, "political signs" includes signs
19 relating to an election or legislative vote, including an election
20 for a candidate for public office or the initiative, referendum, or
21 recall process.

22 SEC. 2. It is the intent of the Legislature that the enactment of
23 this bill shall not diminish or affect in any way other forms of
24 noncommercial expression by a tenant when that expression is not
25 associated with political signs.